

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

M.P., a minor, by her next friend,)
MARQUITA PETERS, and)
MARQUITA PETERS, individually,)
)
Plaintiffs,)
)
v.) No. 4:18-CV-0816-DGK
)
BOARD OF DIRECTORS OF RAYTOWN)
CONSOLIDATED SCHOOL)
DISTRICT NO. 2, et al.,)
)
Defendants.)

ORDER GRANTING MOTION TO STAY

This lawsuit alleges Defendants' long-term suspension of M.P. for physically threatening the school soccer coach violated M.P.'s constitutional rights as a student at the school.

Now before the Court is Plaintiffs' Motion to Stay Court Proceedings (Doc. 8). Plaintiffs request the stay because the attorney who filed this case in state court, Clinton Adams, is not admitted to practice in the United States District Court for the Western District of Missouri, and Plaintiffs need additional time to hire counsel who can represent them in federal court.

“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. North Am. Co.*, 299 U.S. 248, 254 (1936); *Contracting Nw., Inc. v. City of Fredericksburg*, 713 F.2d 382, 387 (8th Cir. 1983) (holding district court has the “inherent power” to stay litigation “to control its docket, conserve judicial resources, and provide for a just determination of the cases pending before it.”). But a stay should be entered only where such a stay would be a proper exercise of the court’s discretion, *Rhines v. Weber*, 544 U.S. 269,

276 (2005), and the proponent bears the burden of establishing the need for a stay. *Nken v. Holder*, 556 U.S. 418, 433-34 (2009).

The Court holds Plaintiffs have shown good cause for a stay. The motion is GRANTED. Plaintiffs are given until January 14, 2019, to find new counsel. If new counsel has not entered an appearance by this time, Plaintiffs may have to proceed pro se, that is, represent themselves, or the Court may dismiss this case without prejudice.

IT IS SO ORDERED.

Date: December 6, 2018

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT